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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,468	06/23/2005	Frederic Trouve	1759.201	2976

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ALBANY, NY 12203

EXAMINER

WENDELL, ANDREW

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/540,468

Applicant(s)

TROUVE, FREDERIC

Examiner

Andrew Wendell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (US Pat Appl# 2003/0129999) in view of Kubo et al. (US Pat# 6,795,715) and further in view of Zeinch (US Pat# 6,606,413).

Regarding claim 1, Ikeda et al. digital data radio receiving device teaches a device for digital radio transmission of data including video information, comprising a video acquisition camera 11 (Fig. 1), a compression stage 22 (Fig. 2) for generating a digital compressed video signal from a signal output by the video acquisition camera (Section 0026), a shaper stage for inserting the compressed video signal into a frame (Fig. 4 and Sections 0026 and 0027), a digital modulation stage for generating a digital radio signal (Sections 0003 and 0007). Ikeda et al. fails to teach a transceiver and a compression rate at least in excess of 1:300.

Kubo et al. portable communication device with camera interface for image transmission and reception teaches a transceiver (Fig. 2 and 3) stage for transmitting the signal in a predetermined frequency band to similar transmission devices (Fig. 2) and capable of for receiving signals (Fig. 3) that include frames having the same structure transmitted by similar devices.

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a transceiver as taught by Kubo et al. into Ikeda et al. digital data radio device in order to easily photograph the image at a desired angle during an interaction using the portable communication device (Col. 2 lines 2-4).

Both Ikeda et al. and Kubo et al. fail to teach a compression rate at least in excess of 1:300.

Zeinch's compression packaged image transmission teaches compression rate at least in excess of 1:300 (Col. 15 lines 1-2).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a compression rate at least in excess of 1:300 as taught by Zeinch into a transceiver as taught by Kubo et al. into Ikeda et al. digital data radio device in order to maximize bandwidth and reduce redundancy (Col. 2 lines 40-67).

Regarding claim 2, Ikeda et al. further teaches wherein the video acquisition camera generates an analog signal (Section 0025).

Regarding claim 3, Ikeda et al. further teaches wherein the video acquisition camera generates a digital signal (Section 0025).

Regarding claim 4, Ikeda et al. further teaches wherein the compression stage is incorporated in the video acquisition camera (Fig. 2).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (US Pat Appl# 2003/0129999) in view of Kubo et al. (US Pat# 6,795,715) and further

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in view of Zeinch (US Pat# 6,606,413) and further in view of Terasaki et al. (US Pat Appl# 2002/0058531).

Regarding claim 5, Ikeda et al. digital data radio receiving device in view of Kubo et al. portable communication device with camera interface for image transmission and reception and further in view of Zeinch's compression packaged image transmission teaches the limitations in claim 1. Ikeda et al., Kubo et al., and Zeinch fail to teach MPEG-4.

Terasaki et al. mobile phone provided with video camera teaches wherein the compression stage uses MPEG-4 format compression algorithms (Section 0082).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate MPEG-4 as taught by Terasaki et al. into a compression rate at least in excess of 1:300 as taught by Zeinch into a transceiver as taught by Kubo et al. into Ikeda et al. digital data radio device in order to improve usability for an user and reduce the size of an eyepiece part of the mobile phone (Section 0008).

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (US Pat Appl# 2003/0129999) in view of Kubo et al. (US Pat# 6,795,715) and further in view of Zeinch (US Pat# 6,606,413) and further in view of Nakamura (US Pat# 7,042,495).

Regarding claim 6, Ikeda et al. digital data radio receiving device in view of Kubo et al. portable communication device with camera interface for image transmission and reception and further in view of Zeinch's compression packaged image transmission

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teaches the limitations in claim 1. Ikeda et al., Kubo et al., and Zeinch fail to teach remotely adjusting the camera angle.

Nakamura's picture transmission unit teaches means for modifying a viewing angle of the camera remotely (Col. 16 lines 40-46).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate remotely adjusting the camera angle as taught by Nakamura into a compression rate at least in excess of 1:300 as taught by Zeinch into a transceiver as taught by Kubo et al. into Ikeda et al. digital data radio device in order to provide ease and low cost for a video camera unit (Col. 1 lines 58-61).

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (US Pat Appl# 2003/0129999) in view of Kubo et al. (US Pat# 6,795,715) and further in view of Zeinch (US Pat# 6,606,413) and further in view of Damstra (US Pat Appl# 2002/0101545).

Regarding claim 7, Ikeda et al. digital data radio receiving device in view of Kubo et al. portable communication device with camera interface for image transmission and reception and further in view of Zeinch's compression packaged image transmission teaches the limitations in claim 1. Ikeda et al., Kubo et al., and Zeinch fail to teach Coded Orthogonal Frequency Division Multiplexing.

Damstra's wireless transmission system teaches the digital modulation stage uses Coded Orthogonal Frequency Division Multiplexing (Section 0031, claim 1).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate Coded Orthogonal Frequency Division Multiplexing as taught by Damstra into a compression rate at least in excess of 1:300 as taught by Zeinch into a transceiver as taught by Kubo et al. into Ikeda et al. digital data radio device in order to reduce picture quality loss (Section 0007).

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (US Pat Appl# 2003/0129999) in view of Kubo et al. (US Pat# 6,795,715) and further in view of Zeinch (US Pat# 6,606,413) and further in view of Vance et al. (US Pat# 6,992,699).

Regarding claim 8, Ikeda et al. digital data radio receiving device in view of Kubo et al. portable communication device with camera interface for image transmission and reception and further in view of Zeinch's compression packaged image transmission teaches the limitations in claim 1. Ikeda et al., Kubo et al., and Zeinch fail to teach Wideband Code Division Multiple Access.

Vance et al. camera device with selectable image paths teaches wherein the digital modulation stage uses Wideband Code Division Multiple Access (Col. 1 lines 10-17).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate Wideband Code Division Multiple Access as taught by Vance et al. into a compression rate at least in excess of 1:300 as taught by Zeinch into a transceiver as taught by Kubo et al.

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into Ikeda et al. digital data radio device in order to improve the design and reliability (Col. 1 lines 25-42).

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (US Pat Appl# 2003/0129999) in view of Kubo et al. (US Pat# 6,795,715) and further in view of Zeinch (US Pat# 6,606,413) and further in view of Yang et al. (US Pat Appl# 2004/0101046).

Regarding claim 9, Ikeda et al. digital data radio receiving device in view of Kubo et al. portable communication device with camera interface for image transmission and reception and further in view of Zeinch's compression packaged image transmission teaches the limitations in claim 1. Ikeda et al., Kubo et al., and Zeinch fail to teach single-frequency network or multiple-frequency network mode.

Yang et al. terrestrial digital multimedia/television broadcasting system teaches wherein the transceiver stage operates in single-frequency network or multiple-frequency network mode (Section 0106).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate single-frequency network or multiple-frequency network mode as taught by Yang et al. into a compression rate at least in excess of 1:300 as taught by Zeinch into a transceiver as taught by Kubo et al. into Ikeda et al. digital data radio device in order to meet service requirements at lower costs (Sections 0012-0013).

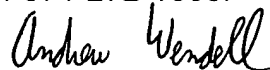
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

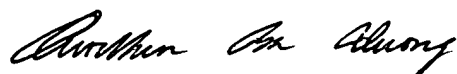
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Andrew Wendell
Examiner
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8/1/2006

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QUOCHIEN B. VUONG
PRIMARY EXAMINER